

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 8/14/06 W

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BRIAN JOHNSON,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE NEW YORK
CITY POLICE DEPARTMENT, and POLICE
OFFICER BRIAN HOLLAND,

Defendants.
-----X

05 Civ. 2357 (SHS)

OPINION & ORDER

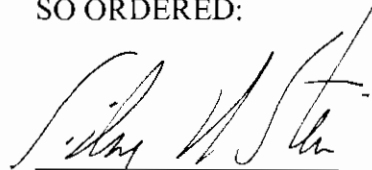
SIDNEY H. STEIN, U.S. District Judge.

The Court having issued an Opinion & Order today disposing of defendants' motion for summary judgment, a pretrial conference will take place on September 15, 2006 at 9:30 a.m. in Courtroom 23A, at which time the Court will set a trial date.

Additionally, regardless of whether plaintiff's claim for the return of his \$1,418.00 sounds in federal due process or New York replevin law, the Court wishes to ascertain at the conference whether defendants actually contest the allegation that plaintiff is entitled to that money and, if not, why the money has not been returned to plaintiff.

Dated: New York, New York
August 14, 2006

SO ORDERED:


Sidney H. Stein, U.S.D.J.